

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ZIM INTEGRATED SHIPPING SERVICES :
LTD., :

Plaintiff, :

-against- :

BELLWETHER DESIGN TECHNOLOGIES :
LLC, :

Defendant. :
-----X

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DOC #:
DATE FILED: 1/7/2020

19-CV-3444 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

On January 6, 2020, Fourth Party Defendant A&A Transfer, Inc. filed a motion to dismiss PEI Premier Expeditors, Inc.'s Fourth Party Complaint, and in the alternative to transfer this action. (Doc. 41.) Under Federal Rule of Civil Procedure 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby:

ORDERED that PEI Premier Expeditors, Inc. shall file any amended Fourth Party Complaint by January 27, 2020. It is unlikely that PEI Premier Expeditors, Inc. will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no amended complaint is filed, PEI Premier Expeditors, Inc. shall serve any opposition to Fourth Party Defendant A&A Transfer, Inc.'s motion by February 5, 2020. Fourth Party Defendant A&A Transfer, Inc.'s reply, if any, shall be served by February 19, 2020. At the time any reply is served, the moving party shall supply Chambers with two courtesy copies of all motion papers pursuant to my Individual Rules by

mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Foley Square,
New York, New York.

IT IS FURTHER ORDERED that, with respect to Fourth Party Defendant A&A
Transfer, Inc.'s forum non conveniens and transfer arguments, the remaining parties are directed
to meet and confer regarding their respective positions, and either join PEI Premier Expeditors,
Inc.'s arguments in opposition or file separate papers in accordance with the above briefing
schedule.

SO ORDERED.

Dated: January 7, 2020
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style. The first name "Vernon" is written with a large, prominent "V" and the last name "Broderick" follows in a similar cursive script.

Vernon S. Broderick
United States District Judge